

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

November 19, 2003

| | | |
|---|---|-------------------|
| IN RE: |) | |
| |) | |
| ENFORCEMENT OF INTERCONNECTION |) | DOCKET NO. |
| AGREEMENT BETWEEN BELL SOUTH |) | 02-01203 |
| TELECOMMUNICATIONS, INC. AND |) | |
| ITC^DELTA COM COMMUNICATIONS, INC. |) | |
| |) | |
| ENFORCEMENT OF INTERCONNECTION |) | |
| AGREEMENT BETWEEN BELL SOUTH |) | |
| TELECOMMUNICATIONS, INC. AND XO |) | |
| TENNESSEE, INC. |) | |

ORDER ESTABLISHING PROCEDURAL SCHEDULE

This matter is before the Pre-Hearing Officer pursuant to the request of BellSouth Telecommunications, Inc. ("BellSouth"), ITC^DeltaCom Communications, Inc. ("DeltaCom"), and XO Tennessee, Inc. (XO) that, in the absence of a negotiated settlement, this Docket be resolved through cross-motions for summary judgment to be heard before and decided by the Pre-Hearing Officer.¹ In as much as the Parties have represented that the matter at issue in this Docket can be resolved without an evidentiary hearing, this request is well taken and is hereby granted

For this purpose, the following timetable is established as the Procedural Schedule to completion of this Docket:

¹ Letter from Guy Hicks, BellSouth General Counsel, on behalf of BellSouth, DeltaCom, and XO to Kim Beals, Pre-Hearing Officer, October 31, 2003.

- Motions for summary judgment shall be filed with the TRA and served on all Parties no later than **Thursday, December 18, 2003**;
- Responses to the motions for summary judgment shall be filed with the TRA and served on all Parties no later than **Thursday, January 8, 2004**;
- Any reply to these responses shall be filed with the TRA and served on all Parties no later than **Thursday, January 15, 2004**.
- Oral Argument on the cross-motions for summary judgment shall be heard before the Pre-Hearing Officer at **10 a.m. on Thursday, January 22, 2004**.

A motion to change any of the aforementioned dates shall be filed with the TRA no later than five business days before the scheduled date.

IT IS THEREFORE ORDERED THAT:

The Procedural Schedule to completion of this Docket is established as stated herein.

A handwritten signature in cursive script, reading "Kim Beals", written in black ink.

Kim Beals, Counsel
as Pre-Hearing Officer